

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

EXMARK MANUFACTURING COMPANY  
INC.,

Plaintiff,

vs.

BRIGGS & STRATTON CORPORATION,

Defendant.

**8:10CV187**

**ORDER**

On April 16, 2018, Defendant Briggs & Stratton Corporation filed a motion to transfer the above-captioned case to the Eastern District of Wisconsin. ([Filing No. 715](#)). The supporting brief argues transfer of this matter is mandatory under [TC Heartland LLC v. Kraft Foods Group Brands LLC, 137 S. Ct. 1514, 1520 \(2017\)](#)(holding that a “civil action for patent infringement” may be brought in only the judicial district where the defendant is incorporated, or where the defendant has committed acts of infringement and has a regular and established place of business.). Plaintiff’s response to Defendant’s Motion to Transfer was due on April 30, 2018, but no response has been filed to date. Accordingly,

IT IS ORDERED:

- 1) Plaintiff shall file a response to the motion to transfer by May 11, 2018.
- 2) Irrespective of whether it opposes the motion or concedes that transfer is necessary, Plaintiff’s response shall explain the factual and legal basis for its position.

Dated this 7th day of May, 2018.

BY THE COURT:  
s/ Cheryl R. Zwart  
United States Magistrate Judge